

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

IN RE TERRORIST ATTACKS ON
SEPTEMBER 11, 2001

Civil Action No.
03 MDL 1570 (RCC)
ECF Case

**DECLARATION OF
KENNETH A. CARUSO IN
SUPPORT OF DEFENDANT
YUSEF JAMEEL'S
MOTION TO DISMISS**

This document relates to:

Thomas E. Burnett, Sr., et al. v. Al Baraka
Investment and Development Corp., et al.,
03 CV 9849 (RCC) (originally filed in the District of Columbia)

KENNETH A. CARUSO declares the following:

1. I am a member of the Bar of this Court and a member of the firm of Chadbourne & Parke LLP, counsel to defendant Yousef Jameel. I submit this declaration in support of Mr. Jameel's Motion to Dismiss.

2. Attached to this declaration are the following exhibits:

- a. Exhibit A is a copy of Long Lasting Ties, Am. Univ. in Cairo, printed from <http://www.aucegypt.edu/support/campaign/jameel.html>.
- b. Exhibit B is a copy of Jennifer Senior, A Nation Unto Himself, N.Y. Times Mag., Mar. 14, 2004.
- c. Exhibit C is a copy of Families of Victims of 9/11 Hold News Conference to Announce Legal Action to Sever Financial Channels Which Support the Al Qaida Network, August 15, 2002, LEXIS, Nexis Library, FDCH Political Transcripts file.
- d. Exhibit D is a copy of Tony Bartelme, The King of Torts vs. al-Quaida, Inc., Charleston Post and Courier, June 22, 2003.
- e. Exhibit E is a copy of Mary Jacoby, A Bulldog Lawyer's Civil War on Terror, St. Petersburg Times, Mar. 4, 2003.

- f. Exhibit F is a copy of the Government's Evidentiary Proffer Supporting the Admissibility of Coconspirator Statements (January 6, 2003), U.S. v. Arnaout, No.02-CR-892 (N.D.Ill. 2003).
- g. Exhibit G is a copy of a Press Release, U.S. Dep't of Justice, Statement of Attorney General John Ashcroft on the Guilty Plea of Enaam Arnaout.
- h. Exhibit H is a copy of a Press Release, U.S. Dep't of Justice, Benevolence Director Pleads Guilty To Racketeering Conspiracy And Agrees To Cooperate With The Government (Feb. 10, 2002).
- i. Exhibit I is a copy of Kenneth Katzman, Afghanistan: Current Issues and U.S. Policy, Congressional Research Service Report for Congress, August 27, 2003.
- j. Exhibit J is a copy of S.J. Res. 365, 99th Cong., 100 Stat. 756 (1986).
- k. Exhibit K is a copy of James A. Baker and Boris D. Pankin, U.S.-Soviet Joint Statement on Afghanistan (Sept. 13, 1991), in Dep't of State Dispatch, September 16, 1991.
- l. Exhibit L is a copy of Overview of the Enemy, Staff Statement No. 15, National Commission on Terrorist Attacks upon the United States.
- m. Exhibit M is a copy of a Press Release, U.S. Dep't of Justice (June 7, 1999).
- n. Exhibit N is a copy of Outline of the 9/11 Plot, Staff Statement No. 16, National Commission on Terrorist Attacks upon the United States.
- o. Exhibit O is a copy of a document written in Arabic (with United States Government translation) bearing a heading that is translated as "Osama History."
- p. Exhibit P is a copy of the Witness Statement of Jean-Charles Brisard, (May 21, 2003), in Bin Mahfouz v. Beaton, et al, UK HCJ No. HC 03X00518.
- q. Exhibit Q is a copy of The Al Qaeda Training Manual, Second Lesson.
- r. Exhibit R is a copy of Secretary General Lord Robertson, Statement at NATO Headquarters (Oct. 2, 2001).
- s. Exhibit S is a copy of a White House Press Release.
- t. Exhibit T is a copy of a decision entered in Jameel v. Times Newspapers Limited, [2003] EWHC 2609 (Q.B.) (Nov. 7, 2003).

- u. Exhibit U is a copy of U.S. Dep't. of the Treasury, Specially Designated Nationals and Blocked Persons (June 10, 2004).
- v. Exhibit V is a copy of a U.S. Treasury Department document available at <http://www.treas.gov/offices/eotffc/ofac/sdn/sdnew02.txt>.
- w. Exhibit W is a copy of testimony of Jamal al-Fadl, United States v. Usama Bin Laden, S(7) 98 Cr. 1023 (S.D.N.Y.) (February 7, 2001).
- x. Exhibit X is a copy of James Dorsey, Saudi Officials Monitor Certain Bank Accounts, Wall St. J. Eur. (Feb. 6, 2002).
- y. Exhibit Y is a copy of a Press Release, Saudi Arabian Monetary Agency (Feb. 7, 2002).
- z. Exhibit Z is a copy of the Order After Trial (Dec. 19, 2003) in Mohammed Abdul Latif Jameel v. The Wall Street Journal Europe, UK HCJ No. HQ 02 X00582.

I declare under the penalties of perjury that the foregoing is true and correct to the best of my knowledge and belief. Executed on July 16, 2004.

/s/ Kenneth A. Caruso
KENNETH A. CARUSO